

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC,

Plaintiff,

V.

HEWLETT PACKARD ENTERPRISE
COMPANY,

Defendant.

CIVIL ACTION NO. 6:20-cv-728-ADA

**UNOPPOSED MOTION FOR SECOND EXTENSION OF TIME TO RESPOND TO
SECOND AMENDED COMPLAINT**

Defendant Hewlett Packard Enterprise Company (“Defendant”) files this Unopposed Motion for Second Extension of Time to Respond to Second Amended Complaint and respectfully shows the following:

Plaintiff WSOU Investments, LLC filed its Second Amended Complaint on August 25, 2021 (Dkt. No. 54), adding a new party several months after the deadline to add parties on June 16, 2021. Plaintiff has not yet sought leave to file an amended complaint adding a new party. If Plaintiff had been granted leave to file its Second Amended Complaint, Defendant's current response deadline would be September 8, 2021, extended to September 15, 2021 based on Defendant's Unopposed Motion for Extension of Time (Dkt. 55). As this date is imminent, Defendant provisionally requests an extension to make its response due on or before September 29, 2021. Good cause exists for this extension to provide time for the parties to confer over the status of the Second Amended Complaint and how to address its effect on the case. Counsel for

Defendant conferred with counsel for Plaintiff, who stated that Plaintiff does not oppose Defendant's request for an extension.

Wherefore, Defendant respectfully requests that the Court grant this motion and enter an order extending the deadline for Defendant to answer or otherwise respond to the Complaint to September 29, 2021 in the event the Court permits Plaintiff to file its Second Amended Complaint.

Date: September 13, 2021

Respectfully submitted,

Michael R. Franzinger
SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 736-8000
Facsimile: (202) 736-8711
mfranzinger@sidley.com

By: /s/ Barry K. Shelton
Michael D. Hatcher
SIDLEY AUSTIN LLP
2021 McKinney Avenue, Suite 2000
Dallas, TX 75201
Telephone: (214) 981-3300
Facsimile: (214) 981-3400
mhatcher@sidley.com

Barry K. Shelton
Texas State Bar No. 24055029
SHELTON COBURN LLP
311 RR 620, Suite 205
Austin, TX 78734-4775
Telephone: (512) 263-2165
Facsimile: (512) 263-2166
bshelton@sheltoncoburn.com

**ATTORNEYS FOR DEFENDANT
HEWLETT PACKARD ENTERPRISE
COMPANY**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system.

/s/ Barry K. Shelton

Barry K. Shelton